

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

INDERJIT SINGH PETITIONER
V. CIVIL ACTION NO. 5:19-cv-126-DCB-MTP
WARDEN SHAWN R. GILLIS RESPONDENT

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on Magistrate Judge Michael T. Parker's Report and Recommendation [ECF No. 12], to which no objections have been filed. Having carefully reviewed the Report, the Court finds it to be well taken and hereby adopts it as the findings and conclusion of this Court.

On November 20, 2019, Petitioner sought a of Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, asserting that he had been detained in immigration custody in excess of six months, and wished to be released. [ECF No. 1]. On May 26, 2020, Respondent filed a Motion to Dismiss arguing that the Petitioner's claim should be dismissed as moot because the Petitioner was removed to India on February 24, 2020. [ECF No. 11].

As the Petitioner has been granted the relief he sought, his Petition requesting to be released from immigration custody is now moot. See Sanchez v. Attorney General, 146 Fed. App'x 547, 549 (3rd Cir. 2005) (holding that release of an alien from immigration

custody rendered his habeas petition moot); Egoroff v. Clark, 2010 WL 4056065, at *3 (W.D. Wash. Aug. 26, 2010) ("Because petitioner has received the relief sought in his habeas petition – a bond hearing which resulted in his being granted release under bond in the amount of \$30,000 – his petition is now moot and should be dismissed."). The Petition no longer presents a live case or controversy for purposes of satisfying Article III, Section 2 of the United States Constitution. Therefore, it is dismissed as moot.

Accordingly,

IT IS HEREBY ORDERED that Magistrate Judge Parker's Report and Recommendation [ECF No. 12] is ADOPTED as the findings and conclusion of this Court. It is further ordered THAT THE MOTION TO DISMISS IS GRANTED [ECF No. 11] and that THE PETITION FOR WRIT OF HABEAS CORPUS [ECF NO. 1] IS DISMISSED with prejudice. A final judgment shall be entered of even date herewith pursuant to Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED this the 6th day of July, 2020.

/S/ David Bramlette

UNITED STATES DISTRICT JUDGE